

FEDERAL COURT

APPLICATION FOR JUDICIAL REVIEW

BETWEEN:

MASOOD MASJOODY

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

APPLICANT'S MEMORANDUM OF FACT AND LAW

PARTY: Masood Masjoody

TABLE OF CONTENTS

OVERVIEW	3
PART I – STATEMENT OF FACTS	5
PART II – POINTS IN ISSUE.....	24
PART III – SUBMISSIONS.....	26
Issue 1: Standard of review	26
Issue 2: CJC’s decision that the Complaint does not warrant consideration	27
Issues 3-4: Inconsistency of exercise of judicial discretion with lack of any attempt to read the court documents and persistently failing to provide a litigant with an opportunity for a fair hearing	27
Issues 5-14: CJC’s claim that the allegations are “unsupported by any evidence and frivolous or vexatious”	28
Failure to address bias and lack of impartiality on the <i>Voith Division’s</i> part	28
Lack of consideration of the Complaint and breach of duty of fairness	29
Bias and a reasonable apprehension of bias on the CJC’s part	29
PART IV – ORDER SOUGHT.....	30
PART V – LIST OF AUTHORITIES.....	31
LEGISLATION/REGULATIONS	31
CASE LAW	31
SECONDARY SOURCES	31

OVERVIEW

1. This is an application for judicial review in respect of the decision of the **Canadian Judicial Council** (“CJC”) regarding CJC Complaint 23-0233 (the “Complaint”) against the conduct of three judges *Peter G. Voith*, *Lauri Ann Fenlon*, and *Mary V. Newbury* (collectively, “*Voith Division*”) of the **Court of Appeal for British Columbia** (“BCCA”). Of central issues in the Complaint are that the respondent judges exhibited an absolute lack of diligence and honesty in performing their basic judicial duties and that the respondent judges egregiously, intentionally, repeatedly, and persistently lied out of nowhere and in the face of such established and indisputable facts as the courts’ publicly available records, thereby protecting through obstruction of justice the agents and powerful enablers of a terrorist regime in Canadian academia. These issues should have been plain and simple to detect for the CJC. Instead of ignoring the occurrence of these egregious forms of prehistoric misconduct, the CJC should have attempted to address the corrupt motives of the *Voith Division*. To any reasonable and informed person, it is practically impossible for three judges to concurrently engage in such an unprecedented level of dishonest behaviour without giving in to extrajudicial elements and special interests, and without being compensated with matters of monetary or other value (a.k.a. bribe, as per the Criminal Code of Canada).
2. The Complaint was initially filed on Jun 16, 2023¹ (alongside 216 pages of supporting documents and evidence)² and its initial submission was succeeded by 3 additional submissions of facts and supporting documents dated Jul 4, 2023 (“Additional Set 1”, 31 pgs)³, Jul 26, 2023 (“Additional Set 2”, 9 pgs)⁴, and Sep 1, 2023 (“Additional Set 3”, 13 pgs)⁵.
3. The Complaint addressed, among other things, judicial misconduct in the form of egregious lying and fabrications out of nowhere—even to the face of the public court records, yielding to extrajudicial elements and interests, and colluding to protect agents and enablers of a

¹ Affidavit of Masood Masjoody, affirmed Dec 1, 2023, Exh. A, Application Record, pg 16

² Affidavit of Masood Masjoody, affirmed Dec 1, 2023, Exh. B, Application Record, pg 29

³ Affidavit of Masood Masjoody, affirmed Dec 1, 2023, Exh. C, Application Record, pg 245

⁴ Affidavit of Masood Masjoody, affirmed Dec 1, 2023, Exh. D, Application Record, pg 276

⁵ Affidavit of Masood Masjoody, affirmed Dec 1, 2023, Exh. E, Application Record, pg 285

terrorist regime at the cost of undermining the integrity of the justice system, eroding the public trust in the courts, and jeopardizing the national and international security through protecting terrorists' interests. The Complaint enumerated and established the occurrence of 13 different categories of judicial misconduct.

4. The CJC decided in a letter dated Oct 23, 2023 (the "CJC Decision")⁶, and communicated to me on Oct 24, 2023, that the Complaint "is trivial, vexatious, made for an improper purpose and manifestly without substance and therefore does not warrant consideration by Council."
5. The CJC Decision shows its:
 - a. Lack of procedural fairness by, among other things, wholesome and evasive disregard of the evidence and supporting material provided by the applicant and by exhibiting bias; amounting to depriving the applicant of the right to be heard
 - b. Failure to consider relevant factors; including arguments and supporting evidence for the 13 categories of alleged misconduct against the respondent judges including
 - i. lack of diligence in performing general judicial duties;
 - ii. absolute lack of diligence in reading the text of the judgment under the appeal;
 - iii. resorting to absolute lies about the text of the judgment under the appeal in a way that embarrasses the justice system and undermines its integrity in the eyes of any reasonable and fair informed person;
 - iv. lack of any attempt to read the documents filed with the BCCA (thereby missing out on all basic facts of the appeal);
 - v. resorting to bald-faced lies and fabrications in the absence of any discernible diligence in learning the basics of the case through reading the materials filed with the BCCA;
 - vi. dishonestly pretending their fabricated statements made in the absence of any genuine fact-finding, to constitute the facts of the case;
 - vii. lack of diligence by evading a proper response to multiple requests from the appellant for clarification and specification of the issues supposedly before the division;
 - viii. multiple failures in providing the appellant with an opportunity for a fair hearing;
 - ix. hoaxing the public through lies and deceptive conduct in a matter of high public interest;

⁶ CJC letter dated Oct 23, 2023, Application Record, pg 8

- x. engaging in overall conduct prone to obstructing justice through conspiracy among the judges to cover up for a terrorist regime's enablers and agents on Canadian soil;
 - xi. lack of integrity;
 - xii. lack of impartiality; and, overall,
 - xiii. conducting themselves in a way that embarrasses the Canadian justice system and fails it as the ultimate protector of democracy.
- c. Failure to respect the principles of natural justice
- d. Abuse of discretion in favour of a predisposed decision to screen out a meritorious complaint and substantiated allegations of judicial misconduct thereby undermining the accountability of the Council and the integrity of the judicial proceedings in Canada
- e. Normalization of dishonesty and lack of integrity on the adjudicators' part in the guise of discretion and by failing to consider the Complaint; which normalizations are manifestly against the mandates of the Canadian Judicial Council
- f. Unreasonableness through a wholesome denial of the issues raised in the Complaint, combined with the lack of any consideration of, and reference to, an abundance of supporting evidence
- g. Unreasonableness through a wholesome denial of allegations raised whereas any reasonable and informed decision-maker would have found the allegation to be substantiated by evidence, including but not limited to the respondent judges' intentionally and persistently lying, particularly, in the face of the public court records
- h. Lying and dishonesty, to the level of calling out the raised issues as "unsupported by any evidence", while in reality, it was the CJC that decided to turn a blind eye to all of the supporting material and evidence and failed to address any of them
- i. Breaching the Values and Ethics Code for the Public Sector in handling CJC Complaint 23-0233
- j. Helping cover up and protect enablers, agents, and affiliates of a terrorist regime on Canadian soil thereby undermining national and international security, by evasively denying the respondent judges' blatantly lying and engaging in egregious misconduct towards obstructing justice

PART I – STATEMENT OF FACTS

A-Background

1. In April 2019 I produced a report that disclosed the extensive engagement of **Simon Fraser University** ("SFU") with a state supporter of terrorism, officially known as the **Islamic Republic of Iran** (the "Regime"). SFU engaged with the Regime through agents affiliated with the Regime's leader *Seyyed Ali Khamenei*, the Regime's president *Ebrahim Raisi*, the terrorist organization **Islamic Revolutionary Guard Corps** (the "IRGC"), the ballistic missile program of the Regime, and members of a so-called student club at SFU, called **Shia Muslim Society** and tied to the Regime and its affiliated institutions in Canada, including the Vancouver-based **Ghadir Cultural and Educational Centre**. In my report, I named three agents of the Regime who enjoyed extraordinary support from the SFU administration: *Shahrokh Jam*, who- among other past or ongoing roles in the Regime- is a ballistic missiles expert at **Iran Space Research Centre** and a former president of *Shiraz University of Technology* (which is the major research partner of the *Defence Industries Organization* of the Regime), *Seyyed Ebrahim Hosseini*, who among other past or ongoing roles in the Regime is the chair of the **Islamic City Council of Shiraz**, has held high positions in the Regime's state TV ("**IRIB**"), was a founding member of *Ebrahim Raisi's* presidential election campaign in 2021, and, finally, *Seyyed Aliasghar Hosseini*, who was the president of the SFU's Shia Muslim Society and is affiliated with the Ghadir Cultural and Educational Center. All of the named individuals have close ties to the IRGC and the office of Iran's dictator *Seyyed Ali Khamenei*.

2. Following the publication of my report, SFU commenced a revengeful conspiracy campaign against me which it advanced by way of sexual harassment and defamation in the realm of my personal life and relation with the individual defendant, aimed also at diverting the issue of its connection with, and support for, the Regime.

3. Prominently among the co-conspirators who were directed, supported, and covered up by SFU are *Marni Julie Mishna* ("Mishna") and *Mary Catherine Kropinski* ("Kropinski"). Since the commencement of SFU's conspiracy, SFU has constantly put *Mishna* and *Kropinski* in leadership positions related to the Radical Leftist and Cultural Marxist notion of Diversity, Inclusion, and Equity ("D.I.E.").

4. In April 2020, I commenced an action in the **Supreme Court of British Columbia** ("BCSC") seeking damages for defamation and conspiracy (the "SFU Action")⁷.

5. The defendants in the SFU Action begged the BCSC in their application heard by a judge called *Shelley Colleen Fitzpatrick* ("Fitzpatrick") to strike the claims against them because of the plaintiff's cultural and political views' being inconsistent with the "left-wing politics", because of the plaintiff's "professing admiration for [Dr.] Jordan Peterson, [President] Donald Trump, [Mr.] Tucker Carlson, [the late] Ruch Limbaugh", and because of the plaintiff's "having difficulty with [L]iberalism, [F]eminism, and affiliates or supporters of the [Regime]."

6. *Fitzpatrick* seems to have understood, and delivered on, the instructions by the enablers of the Radical Islamic terrorism that is embodied in the Regime. On August 3, 2021, *Fitzpatrick* decided to evade the hearing of the action on the merits and block the discovery process, by claiming a lack of subject-matter jurisdiction. In her "reasons" for judgment, *Fitzpatrick* exhibited obvious signs of bias and—presumably, to please and entertain the wealthy and politically powerful SFU administration and their governmental supporters by her written judgment—inhumanly and pathetically expressed her disbelief in the merits of the allegations raised, mocked the pleadings, and verbally attacked me for daring to raise allegations against her apparently favourite SFU administration in its connections with a terrorist regime.

7. *Fitzpatrick* then ordered on August 3, 2021, that she would be seized of any applications, including for costs and an injunction application, to be rescheduled in the matter.

8. While *Fitzpatrick* ruled in her judgment that it was not the issue before her to determine the merits of the allegations, on the very occasion that she aborted the discovery process as a necessary step for fact-finding, she pathetically called out the allegations against her favourite wealthy and politically powerful side as "escalated", "bizarre", and "irrational". *Fitzpatrick* also decorated her judgement with fact manipulations, fabrications and many outright lies, all amounting to appeasing the Regime and its enablers.

9. By her judgment, *Fitzpatrick* paved the way for the lobbyists and apologists in Canada of the Regime to double down on the SFU's conspiracy and *Fitzpatrick's* own pathetic conduct against the complainant. This is not a mere possibility- the apologists of the Regime in Canada started to

⁷ Applicant's Application Record, pg 104

assassinate my character merely a day after the publication of *Fitzpatrick's* judgment, admittedly based on *Fitzpatrick's* biased words against a justice-seeking victim of a terrorist regime's enablers.

10. The publication of *Fitzpatrick's* judgment on Sep 15, 2021, was immediately followed by defamatory online publications at the beginning hours of September 17 (at or about 3 AM)^{8,9} against me by the affiliates of the cult of **Karim Aga Khan**, a.k.a **Nizari Ismailis** (the "Cult"). The named author of these publications is **Dustin Godfrey** ("Godfrey"). He is a supporter of Islamic terrorism and has repeatedly participated in the pro-Hamas rallies in Vancouver proudly cheering for the mass murder of Israeli civilians in October 2023. While acknowledging that *Fitzpatrick* "arguably could not have done [factual findings] on the pleadings application before [her]." the BCSC says that¹⁰ the "likely defamatory" statements by the Cult's affiliates could be "honestly expressed" based on *Fitzpatrick's* words against the plaintiff as expressed in the Judgment. (*Masjoody v. Burnaby Beacon*, 2022 BCSC 2485).

11. The Cult is an unofficial yet highly influential lobby of the Regime in Canada that has even bribed Prime Minister **Trudeau**, for which the Ethics Commissioner found the Prime Minister guilty of breaking several sections of the Conflict of Interest Act. The Prime Minister, who has a documented history of pressuring a sitting Attorney General **Judy Raybould Wilson** to avoid criminal prosecution of the wealthy Liberal-leaning company **SNC-Lavalin**, has recently appointed a member of the Cult Mr. **Arif Virani** to be the Minister of Justice and Attorney General of Canada. Ms. *Wilson* has described the current AG as a Prime Minister's "talking head" in his "wrong" attempts to avoid the prosecution of SNC-Lavalin. This seems to be still a fair description—as this memorandum was being prepared, it happened that on Feb 6, 2024, Mr. Attorney General, the respondent and the top lawman of the country, used profanities during a Parliament of Canada's question period and cursed the Leader of Opposition by calling him a "fucking tool". Mr. *Virani* is the Prime Minister's third attorney general preceded by Mr. **David Lametti**. Mr. *Lametti* resigned from the Parliament after the Court recently ruled¹¹ that the

⁸ Applicant's Application Record, pg 186

⁹ Applicant's Application Record, pg 332

¹⁰ *Masjoody v. Burnaby Beacon*, 2022 BCSC 2485 ([CanLII](#))

¹¹ *Canadian Constitution Foundation v. Canada* (Attorney General), 2024 FC 38 ([CanLII](#))

government's usage of the Emergency Act in 2022 was unjustified and unreasonable, and, Mr. Lametti's order¹² in that regard was unconstitutional and in violation of the Charter.

12. On August 17, 2021, I appealed *Fitzpatrick's* decision to the BCCA (only 14 days after it was pronounced) and in the subsequent factum¹³, expressly addressed the bias of the judge and sought that the BCCA set aside the seizure of the matter by *Fitzpatrick*. However, these matters were not addressed by the BCCA, and I had to file a fresh appeal focusing solely on these deliberately ignored issues by the BCCA.

B- Conduct of the judges in the Court of Appeal for BC as of March 8, 2023

13. On March 8, 2023, I filed an appeal with BCCA on the ground that due to a reasonable apprehension of bias, *Fitzpatrick* has not had any jurisdiction in the legal matter before her and seeking, in particular, an order that *Fitzpatrick* shall not be seized of any further application in the proceedings in the BCSC.

14. Concurrently, I filed an application and a supporting affidavit (made on March 8 and filed on March 9, 2023) setting out the facts that: In an earlier appeal I commenced on August 17, 2021, both of the following were brought up:

(1) the bias of *Fitzpatrick*; and

(2) seeking to set aside the seizure of the matter by *Fitzpatrick*.

However, as shown in the affidavit, three (other) judges of the BCCA astonishingly failed to adjudicate them and indeed turned a blind eye to them. Based on these, I argued that what appears to be the lateness of the appeal of March 8, 2023, was indeed caused by the officers of the BCCA and if required, an extension of time should be granted for bringing the fresh appeal, and the required extension is in the interest of justice. The BCCA scheduled the hearing of my application for March 16, 2023.

15. On March 16, 2023, the registry of the BCCA told me and then wrote to me that the application of that day, i.e., March 16, 2023, was adjourned on the hearing date (but has never provided me with an order of any adjudicator adjourning that hearing) and informed me that two days prior, on March 14, 2023, the registrar of the BCCA called ***Tim Outerbridge*** referred my appeal to a division for summary determination. On March 17, 2023, I took to the BCCA's registry

¹² Emergency Economic Measures Order, SOR/2022-22

¹³ Applicant's Application Record, pg 49

a notice of application relying on Section 30 of the Court of Appeal Act to seek that: “In this matter, all powers otherwise given to the registrar by the Rules or the Act must be exercised by a justice of the Court. The registrar's directions or decisions in this matter are retroactively voided and without effect.” **The Registry refrained from filing my application.**¹⁴

16. The BCCA persistently refused to reveal the composition of the division that was supposedly engaged in the summary determination of my appeal on Outerbridge’s request, which division eventually turned out to be the *Voith Division*. I was only informed of the composition of that division after the division issued its judgment on May 30, 2023.

17. The respondents of the appeal did not file a notice of appearance and did not participate in the appeal proceedings that I commenced on March 8, 2023.

18. Before May 30, 2023, I wrote **five** letters to the then-unknown *Voith Division* requesting:

- (1) the recusal of the registrar from this matter and voiding his directions (as per my "unfiled" application of March 17, 2023);
- (2) clarifications and specifications of the issues before the court; and,
- (3) an in-person appearance before the division for a fair and informed hearing.

The letters, which were never properly responded to, were sent on the following dates:

March 20, 2023¹⁵;

April 17, 2023¹⁶;

April 20, 2023¹⁷;

April 25, 2023¹⁸; and

May 5, 2023¹⁹.

19. To my letter of April 17, 2023, to the BCCA I appended my letter of April 11 to then-**Minister of Public Safety Marco Mendicino**, including information about a top agent of the

¹⁴ Applicant’s Application Record, pg 227-233

¹⁵ Applicant’s Application Record, pg 227-233

¹⁶ Applicant’s Application Record, pg 268-275

¹⁷ Applicant’s Application Record, pg 236-237

¹⁸ Applicant’s Application Record, pg 238

¹⁹ Applicant’s Application Record, pg 239-244

Regime in Canada, his extensive “access to the upper echelon of power within the Government and the **Liberal Party of Canada** [“LPC”]”, and his role in helping “the [Regime] bypass international sanctions. I also revealed my information about that Regime’s agent’s attendance “at a recent **NATO** session [held in Ottawa in May 2023] with the support of Canadian authorities.” An unredacted copy of the latter letter is attached to my affidavit in this matter, where identifying information about the said agent **Akbar Manoussi** (“*Manoussi*”) is available.²⁰

20. Publicly available information about *Manoussi* on the Internet ²¹contains evidence of his ties to the Regime, particularly to the **Ministry of Foreign Affairs** and the major chambers of commerce in Iran. *Manoussi*, who is also the President of the **Muslim Coordinating Council of the National Capital Region** (“MCCNCR”), founded the Regime’s “**Iran Cultural Centre**” in Ottawa and managed it until it was shut down when in 2019, as per rulings of anti-terrorism courts in the United States of America and Canada²², its assets were sold and proceeds were handed to [the Regime’s] terror victims²³. Evidence also exists of *Manoussi*’s admitting his interference in the 2021 Federal Elections in favour of the LPC, particularly and among other LPC candidates, the following post-election Members of Cabinet:

- Minister of Foreign Affairs **Mélanie Joly**;
- Minister of Defence **Anita Anand**;
- President of the Treasury Board **Mona Fortier**;
- Minister of Transportation **Omar Alghabra**; and
- Minister of Immigration, Refugees and Citizenship **Sean Fraser**.

21. On May 8, 2023, I filed my Appeal Record, which filing made my Factum and Appeal Book due on June 7, 2023.

22. Despite my numerous requests, the *Voith Division* refrained from revealing the issues it was supposedly considering as the basis for possible summary determination nor did it provide me with an opportunity for an in-person hearing.

²⁰ Applicant’s Application Record, pg 310-312

²¹ [Short link](https://tinyurl.com/manoussi) to the post on “desislamiserlescours.com:” <https://tinyurl.com/manoussi>

²² *Tracy v The Iranian Ministry of Information and Security*, 2016 ONSC 3759 ([CanLII](#))

²³ <https://globalnews.ca/news/5893768/irans-properties-in-canada-sold/>

23. As of March 14, 2023, the *Voith Division* was supposedly dealing with a referral of the appeal by the BCCA's registrar for a summary determination of the appeal. The division persistently failed to address my "unfiled" application of March 17, 2023, by which I sought to recuse the registrar from the matter and set aside his directions, including his referring the appeal to a division of the BCCA.

24. On May 30, 2023, the *Voith division* dismissed my appeal without a hearing and without allowing for the rest of the appeal material, including the Appeal Book and Factum, to be filed in due course.

25. The text²⁴ of the *Voith Division's* judgment revealed that it had not even examined the material it had before it and in place of the facts of the case resorted to lies and deliberate fabrications, even concerning such basic facts as what was included in, or missing from, the judgment under appeal and court records in general.

26. Speaking of lies, I am not referring to genuine but failed attempts at fact findings based on adversarial sets of evidence. The *Voith Division* included bald-faced lies not only in the face of the appellant's evidence but shockingly in the face of the court below's published judgment and other court records.

27. Moreover, the judgment issued by the *Voith Division* provides further evidence of the division's absolute lack of diligence in performing its judicial duties

C-Judges' lies and fabrications regarding the text of the judgment under appeal

C(1)- Costs

28. The *Voith Division* egregiously lies about the costs of the proceedings in the court below, and with no basis shamelessly resorted to the absolute fabrication that:

"The judge also ordered Dr. Masjoody to pay the costs of the proceeding."

2023 BCCA 220, para [8](#)

29. This is false and having been uttered purposefully, a miserable lie. **Fitzpatrick DID NOT issue any order regarding the costs. The costs have not been addressed at all let alone assessed. The parties are yet to address the issue of the cost.**

²⁴ *Masjoody v. Trotignon*, 2023 BCCA 220 ([CanLII](#))

30. The reprehensibility of a **deliberate attempt of the judges to hoax the public by falsifying court records in a matter of public interest** cannot be understated.

31. Even regardless of the fabrication, had the judges shown some tiny bit of diligence in performing their basic judicial duties, they would have found the following as the sole paragraph in Fitzpatrick's judgment regarding the costs (with the total occurrence of the word "costs/cost" in the entire judgment under appeal being two):

[98] **Costs** of these applications are to be addressed by the Court upon further application by the parties, as both defendants' counsel and Dr. Masjoody agreed. Drs. Kropinski and Mishna do not seek any **costs** award.²⁵

2021 BCSC 1502, para [98](#) (emphasis added)

C(2). The Injunction Application, and a temporary consent order to be effective until the Injunction Application is “heard and determined”

32. The *Voith Division* falsely claims that the issue[s] I raised, i.e., *Fitzpatrick's* bias and hers being seized of the matter, **“appears to be moot”** (para. 25) and **“there was, and there is, simply no need for the parties to reappear before [Fitzpatrick].”**

33. This is another obvious indication of their lack of ethics and diligence, among other misconducts. Had they actually read, and been even infinitesimally honest about, *Fitzpatrick's* judgment before resorting to such obvious lies and shocking fabrications, they would have found multiple passages there referring to **matters to be “rescheduled” before *Fitzpatrick***, including an injunction application ("Injunction Application"), a consent order ("Consent Order") whose effects and terms are explicitly reliant on the hearing and determination of the outcome of the Injunction Application, and, of course, the costs of the proceedings.

34. **In addition to the costs, the Injunction Application is another live matter before the court below which Fitzpatrick is seized of.**

C(2).a. The Consent Order

35. The determination (not only the hearing) of the Injunction Application is determinative of the termination of the terms of the Consent Order which, alongside the communications leading to

²⁵ *Masjoody v Trotignon*, 2021 BCSC 1502, par. [98](#)

and related to it, are in my affidavit 1 in the appeal proceedings. Even *Fitzpatrick's* order of August 3, 2021, alone makes the latter clear.

36. The Consent Order was reached between the lawyers (without a hearing) simply to adjourn a hearing scheduled to happen in April 2021 whereby allowing the plaintiff's then-newly hired lawyer to have time to review the court material. The terms of the Consent Order are in place until such time as both Strike Application and Injunction Application are heard and determined.²⁶

37. This means until the Injunction Application is determined, I, a victim of the barbaric conduct of a university administration that enabled agents of an Islamic terrorist regime and directed animalistic conduct and conspiracy of several individuals against me, could technicality be found in breach of the court below if I talk about aspects of these individuals criminality, including but not limited to sexual harassment, defamation, bribery, etc.

C(3). Conclusion: Deceitfully claiming the mootness of the appeal

38. In the face of the judgment under the appeal, the *Voith Division* fabricated the lie that the appeal is moot.

39. *Fitzpatrick* had expressly named in her judgment issues and applications that have been before the BCSC and were not (and still have not been) heard and determined, such as the Injunction Application and the costs of the proceedings in the BCSC. The judges' lack of diligence in reading the text of *Fitzpatrick's* judgment has definitely factored in alongside other misconducts enumerated herein, including persistently lying and hoaxing the public to favour terrorists and their enablers.

D. Voith Division's lies and fabrications in the face of the appellant's appeal material

40. The judges' lack of diligence and honesty extends to the appellant's material that was before the judges but the judges do not seem to have read it. A clear indication of the latter is the judges' obvious fabrications whose falsity is apparent upon even skimming the appeal material.

41. In paragraph 1 of its judgment, the Voith Division wrote that:

“Dr. Masjoody [is] seeking to appeal further aspects of the original chambers judge’s order”
2023 BCCA 220, [para 1](#).

²⁶ Applicant's Application Record, [pg 171-184](#)

42. The judges mean the seizure of the matter by Fitzpatrick and aspects of her conduct indicating her bias, about both of which they blatantly lied.

43. In paragraph 18 of their judgment, speaking of the seizure of the matter by Fitzpatrick, the respondent judges say:

“[I]n his new Notice of Appeal (CA48922) Dr. Masjoody seeks to raise an issue that was determined by Justice Fitzpatrick **but was not raised by him in his initial appeal** (CA47689).”²⁷

2023 BCCA 220, [para 18](#).

44. Then, in paragraph 20 of their judgment, the respondent judges continue on the matter of *Fitzpatrick's* being seized of the matter by claiming that:

“[I]t may have been open to Dr. Masjoody to appeal Justice Fitzpatrick's order that she was seized of all further applications unless she was unavailable. He chose not to do so.”²⁸

2023 BCCA 220, [para 20](#).

45. In addition to indicating the judges' lack of diligence, these statements are false, misguided, and misleading. These are not just mistakes or errors honestly made during any genuine fact-finding. The respondent judges had my application of March 8 before them. They had the corresponding argument and supporting affidavit before them. Any consideration of these should have eliminated any reasonable person's possible misapprehension and error in recognizing the basic facts of the appeal. However, these judges seem to be too ignorant of basic duties and invested in lying to show a tiny bit of diligence and read the documents before lying in the face of court records in a publicly available document issued by the BCCA.

46. On top of this, I had asked the Division not once, not twice, but five times in writing to specify the matters it's been considering, but not only the Division did not do that but also did not even bother to read the material that it had before it and instead, resorted to lies and pure fabrications regarding the most basic facts of the case.

47. Even an infinitesimally diligent judge would have learnt by skimming the appeal material that the appeal is NOT about FURTHER aspects of Fitzpatrick's order, but the aspects of her order which were conveniently IGNORED by the Court during the primary appeal.

²⁷ *Masjoody v. Trotignon*, 2023 BCCA 220, [para. 18](#)

²⁸ *Masjoody v. Trotignon*, 2023 BCCA 220, [para. 20](#)

48. The opening statement in the appellant's factum in the first appeal proceedings, **filed Nov 17, 2021**, reads:

“The judge engaged in disputing facts pleaded by the plaintiff, by the way of dishonest reporting, mockery and calling the facts bizarre and unreasonable, while those facts were not disputed by the defendants in any pleadings ...Using loaded language, especially in a jurisdictional challenge, by the chambers judge not only shows the **bias** of the judge but also can affect an ultimate jury trial for determining this defamation and conspiracy action...I respectfully submit that the orders of the Court below be set aside that (1) dismissed the action for lack of jurisdiction and (2) ruled that Madam Justice Fitzpatrick will be seized of any other applications in this matter ...”²⁹

(Affidavit 1 of the appellant, filed March 9, 2023, page 18 of Exhibits (Opening Statement: bias of Fitzpatrick and the orders sought on appeal))

49. Instances of the bias of the judge were raised throughout the factum in my first appeal. The problem then was that the court somehow managed to not see them and the problem now is that the court still does not see them and does not see the evident evidence, and while showing a lack of diligence to read the appeal material, eagerly engages in lies of fabrications regarding the basics of the appeal.

50. As with the opening of the factum in my first appeal, reading its ending should have prevented the respondent judges from the inclusion of their blatant lies and fabrications in paras. 1, 18, and 20 of their judgment:

...(2) Setting aside the judgment of [Madam Justice Fitzpatrick] that ordered that Madam Justice Fitzpatrick will be seized of any further applications in this matter.³⁰

(Affidavit 1 of the appellant, filed March 9, 2023 page 18, page 46 of Exhibits (Page 28 of the first factum, Nature of Order Sought))

E. Applications and correspondence after May 30, 2023

51. On May 31, 2023, in a letter to the *Voith Division*, I pointed out the *Voith Division's* multiple lies- described above- falsifying the public court records and applied for re-opening the

²⁹ Applicant's Application Record, pg 61

³⁰ Applicant's Application Record, pg 89

appeal and for following the due process of full appeal. The *Voith Division* declined to hear my application.³¹

52. On June 25, 2023, I sent separate emails to all members of the **House of Commons** and Senators, thereby informing them of the influence of foreign terrorists' agents and enablers leading to obstruction of justice by the *Voith Division*. I reminded the members of the Parliament of the following passage from an earlier letter of mine to them:

*"As long as the terrorist entity IRGC is not listed as such under the Criminal Code and interference of the [Islamic Republic] is not meaningfully counteracted, it is expected that this embarrassing situation for courts ... will only expand ... and contaminated institutions become a higher risk to the national and international security."*³²

53. I pointed out to the Members of Parliament that:

"Indeed, since my March letter, the BC Court of Appeal has taken the ongoing embarrassing judicial misconduct to a new low:

I am now writing to inform you that under the ultimate influence of the Islamic Republic's enablers, the judicial misconduct of the BC Court of Appeal remarkably grew into three judges' egregiously abusing their position and trampling all the basic principles of ethics (let alone those of judicial conduct). In the most deceitful fashion and based on their absolute lies, these three judges struggled to keep the interference of a terrorist regime in Canada out of the courts and to make the courts of law inaccessible to a victim of the regime's enablers and agents:

In the Court's final move, on 30 May 2023, three judges:

- ***Peter G. Voith;***
- ***Lauri Ann Fenlon; and***
- ***Mary V. Newbury,***

resorted to **blatant lying to the end of hindering such indisputable facts as the contents of the courts' own documents.** The concerned Court's documents notably include the contents of the judgment under appeal. I emphasize, for maximum clarity, that the judges

³¹ Applicant's Application Record, pgs 301-304

³² Applicant's Application Record, pg 252

astonishingly denied the plain and simple facts of the contents of the courts' own documents and replaced them with their absolute lies because each of those denied true facts alone would have dictated them to let my appeal proceed in the Court, as their own judgment acknowledges. ...To counter this overtly disgraceful and deceitful conduct, I have now filed a complaint against the named judges to the *Canadian Judicial Council (CJC)*, laying bare, in detail, how low the Court has gone just to protect the interests of terrorists and their enablers (File# 23-0233, appended to this letter). Furthermore, given (1) the longstanding cover-up and obstruction-of-justice schemes in the courts and by the top court officers (i.e., judges) and (2) the high likelihood of an extension of these corrupt schemes to the CJC and any reviewing forum in Canada, I will be pursuing complaints to internationally authorized, or mandated, organizations against the Government of Canada for systemic violation of human rights and justice in legal proceedings. Meanwhile, the Parliament's paying due attention to the matter of foreign interference and influence by the regime of the Islamic Republic and holding the Liberal government accountable will have substantially higher chances of success if specific cases like this are on sight and meticulously addressed rather than ignored.

In my respectful opinion, foreign interference at this level and extent should be considered transparently by the Parliament (and not by another "independent" member of the **Trudeau Foundation**) for a much-deserved public inquiry.”³³

54. On June 27, 2023, I applied to the *Voith Division* for them to correct one of the plain and simple “errors” in the text of their judgment of May 30, 2023, regarding the costs. I emphasized that:

“There should be absolutely no question that para [8] in the "Reasons" is false and misleading. If the Division turns out to attribute the inclusion of this obvious falsehood in the Reason to an accidental slip or omission, then the slip rule applies. Otherwise, the only reasonable alternative for the Division is an acknowledgment of having had an agreement among the Division for purposeful inclusion of falsehood toward obstruction of justice in a matter related to the influence and interference of a terrorist regime in Canada. In either

³³ Applicant's Application Record, pgs 252-253

case, the required correction should be made to, among other things, mitigate the damage to the integrity of the justice system and public trust in it.”³⁴

55. Copies of my letters of June 25, 2023, to the Members of Parliament and June 27, 2023, to the *Voith Division* were before the CJC in Additional Set 1.

56. The *Voith Division* declined to make the required correction and stood by its embarrassing falsehood in the face of the publicly available court records.

57. Several months after the egregiously unethical conduct of the *Voith Division*, the parties to the SFU Action had to appear before—guess who—*Fitzpatrick* to address several issues, simply because *Fitzpatrick* was, and still is, seized of the SFU Action, despite the *Voith Division* baldfaced lies crafted for obstructing justice and protecting the interests of the world’s number one state sponsor of terrorism.

58. On Aug 25, 2023, the defendants asked the BCSC to appear before *Fitzpatrick* to address the issue of costs, which the lying judges sitting on the *Voith Division* had deceitfully declared settled in 2021! In my same-day response, I informed the BCSC of the *Voith Division*’s reprehensible conduct and my ensuing complaint to the CJC. I made it clear that “...*Fitzpatrick* should affirm that she has been biased against the plaintiff and does not have, and has never had, jurisdiction to hear any matter regarding the plaintiff. [...] *Fitzpatrick* must recuse herself from the matter for reasonable apprehension of bias and for actual bias.”³⁵

59. On Aug 28, 2023, I applied to the BCCA to (1) supplementarily amend my application of June 27 to the *Voith Division* by including the evidence of Aug 25 correspondence with the BCSC; (2) require the recusal of the judges on the *Voith Division* due to bias.³⁶

60. On Aug 31, 2023, I formally asked to appear before *Fitzpatrick* of the BCSC for an application for the recusal of the judge.³⁷

61. *Fitzpatrick* finally declared available for Nov 16, 2023, for hearing the defendants’ application for costs and my application for her recusal. I filed my notice of application on Oct 16,

³⁴ Applicant’s Application Record, pg 250

³⁵ Applicant’s Application Record, pgs 288-289

³⁶ Applicant’s Application Record, pgs 290-296

³⁷ Applicant’s Application Record, pg 297

2023, making the SFU Action’s defendants, the CJC, and BCCA respondents. CJC and BCCA were served with the Notice of Application but did not respond to it.³⁸

62. On Nov 16, 2023, the parties in the SFU Action had to appear before *Fitzpatrick*, whereas the lying judges sitting on the *Voith Division* had expressed in their “judgement” of May 30, 2023, that “**there was, and there is, simply no need for the parties to reappear before [Fitzpatrick]**”³⁹.

63. In her judgment of Nov 16, 2023, *Fitzpatrick* included a history of defendants’ applications between November 2022 and Nov 16, 2024, for costs of the proceedings, whereas the lying judges sitting on the *Voith Division* had expressed in their “judgment” of May 30, 2023, concerning Fitzpatrick judgment of August 2021 that: “The judge also ordered Dr. Masjoody to pay the costs of the proceeding.”

64. In her judgment of Nov 16, 2023, *Fitzpatrick* refused to recuse herself and expressly referred to two of the outstanding matters in the proceedings:“...[T]hose two outstanding matters—[the defendants’] injunction application or the continuation of the Consent Order—were such that [the defendants] withdrew their application for costs at this time.”⁴⁰ Fitzpatrick then adjourned the defendants’ application for costs generally, whereas the lying judges sitting on the *Voith Division* had expressed that the costs were already decided by Fitzpatrick on Aug 3, 2021.

Additional Facts

65. *Peter G. Voith*, who authored the *Voith Division*’s judgment, cofounded ***Hunter Litigation Chambers*** with Justice ***John Hunter*** of BCCA—as he now is—who is the father of SFU’s counsel from *Hunter Litigation Chambers* ***Clair Hunter***. *Claire Hunter* has represented *Mishna* and *Kropinski* in the proceedings in the BCSC.

66. Following Hamas’s terrorist attack of Oct 7, 2023, on Israeli soil, the Regime’s top agent in Canada *Akbar Manoussi* has been tremendously active in supporting Hamas terrorists through lobbying with the Government of Canada. On October 15, he shared the following content with a

³⁸ Applicant’s Application Record, pgs 315-326

³⁹ *Masjoody v. Trotignon*, 2023 BCCA 220, [par. 27](#)

⁴⁰ *Masjoody v. Trotignon*, 2023 BCSC 2224, [par. 27](#)

group of current and former Regime authorities regarding his meeting [at a Tim Horton's in Ottawa] with *Mona Fortier* [translated from Persian]:

“In the name of god.

Yesterday, Saturday, 22nd of the Month of Mehr of 1402 [in Persian calendar], equal to October 14, 2023, I had a one-hour meeting with Canada's Treasury Minister⁴¹ and high-ranking member of the Canadian parliament Ms. *Mona Fortier*, to discuss Prime Minister of Canada *Justin Trudeau*'s one-sided unfair and wrong support for Israel in the recent conflicts. In this meeting, I informed them of the dissatisfaction and regret of many Canadian citizens, especially Canadian Muslims, regarding the Canadian Government's stance towards Israel regarding the recent clashes. [...] Ms. Fortier, who herself and her Liberal Party led by Justin Trudeau have always been supported by the two million Canadian Muslims community in the previous elections, hoped that they would continue to benefit from this support in the future and promised to personally and without delay share my concerns with the head of the Government.

Akbar Manoussi

The Muslim Coordinating Council of the National Capital Region (MCCNCR), Ottawa.”

Three days later, *Manoussi* shared the following message, with the same audience, followed by a Tweet by *Justin Trudeau* [translated from Persian]:

“Hello. Note the change in the tone of Justin Trudeau during his speech today (October 18) in the Canadian Parliament after my meeting and conversation on Oct 14 with [...] Ms. *Fortier* [...].”

67. On December 10, 2023, *Manoussi* sent a letter to PMJT with the following content:

“The Right Honourable Justin Trudeau Prime Minister of Canada

Office of the Prime Minister

80 Wellington Street

Ottawa, ON K1A 0A2 Canada

⁴¹ *Manoussi* made a mistake. MP *Fortier* is the former President of the Treasury Board of Canada.

December 10, 2023

Dear Prime Minister Trudeau,

On behalf of Muslim organizations in Canada we are writing to express our deep concern regarding the Canadian government's evolving stance on the Israeli-Palestinian conflict since October 7th, 2023.

Your government has aligned itself more closely with the Israeli government's position, disregarding the majority of Canadian voices calling for a permanent ceasefire and an end to the conflict. This shift raises serious questions about Canada's commitment to a just and lasting peace in the region.

Canadian civil society, faith based and human rights groups have observed, with great concern, the current political discourse in Canada.

In light of these concerns, we urge your government to consider the following points:

1) The resumption of Israeli bombardment of Gaza, the escalating toll on civilians, presently 18,500 people mostly children, women and elderly who have been killed and more than 35,000 homes and hospitals have been destroyed by Israeli bombshells.

The rhetoric from Israeli officials that appears to be committed to a sustained and increasingly violent campaign against the population of Gaza, are deeply troubling.

All people of clean conscience and the Canadian government must stand against this sustained and unprecedented brutality.

2) It is alarming that Israel has released over a hundred minors from detention, only to arrest a similar number of minors from the West Bank. This cycle of detention and the inhumane treatment of the detainees, raise serious human rights concerns and Canada should not remain silent about it.

3) We question Israeli administrative laws that are used to justify the detention of Palestinian children arbitrarily for indefinite periods. This practice is in stark opposition to international human rights norms. We find it shocking that Canada's government does not condemn the illegal detention of Palestinians, especially children.

Mr Prime Minister, Canada has a proud history of advocating for human rights and peace on the global stage. We hope that your government will realign its foreign policy to reflect these values, especially in the context of the conflict in the Middle East.

The two million Canadian Muslim, along with many other communities represented by diverse organizations and beyond, are deeply concerned about the Government of Canada's unquestioning and uncritical support for the Israeli government's actions . This stance has raised serious concerns among us about the impartiality of our nation's foreign policy. We can no longer remain silent in the face of Canada's biased approach that contradicts the values of justice and fairness. This approach has proven to be a failure on all fronts. It has neither promoted justice nor positioned Canada to help broker peace.

We strongly urge the Canadian government to press for an immediate and permanent ceasefire, advocate for the release of all children, women and administrative detainees from captivity, support Palestinian right to self-determination, oppose the illegal occupation, end the siege on Gaza, and work towards a just and enduring peace in accordance with international law.

Mr Prime Minister, children are dying in the thousands ever week and we are witnessing ethnic cleansing and a genocide every day in besieged city of Qaza. Our hearts bleed for entire families erased, refugees displaced and the complete abandonment of law and compassion. History will not be kind to those who stand silent today. The time to act is now.

Sincerely,

Professor Akbar Manoussi

Elected President,

Muslim Coordinating Council of Canada, in National Capital

www.mccncr.org”

68. *Manoussi's* letter of Dec 10 was followed by Canada's vote against Isreal at the United Nations. Sharing his picture with Canada's Ambassador to the UN **Bob Rae**, *Manoussi* described this situation to a group of the Regime's current and former authorities, as follows [translated from the original Persian message]:

“Attention, dear friends:

The popular social pressures of Canadian citizens, civil institutions and pro-human rights organizations have been effective in the past few weeks to change the Canadian government's political decisions regarding the acceptance of a ceasefire in Israel's war against the residents of Gaza.

The population of two million Muslim citizens of Canada has always played and will play an effective role in the past and future elections of the Canadian government, and the democratic parties in Canada are forced to make changes in their political structure in order to win the votes of these citizens in the elections of the coming year.

Three days after sending my letter to Canada's Prime Minister, for the first time in the UN General Assembly, Mr. Bob Rae, Canada's ambassador to the UN, finally voted in favor of the ceasefire resolution against Israel.”

PART II – POINTS IN ISSUE

69. The 1st issue is the standard of review, which given the existing legislations and specifics and impacts of the matter at issue should be correctness.

70. The 2nd issue is, whether the CJC was correct in its decision that the Complaint “does not warrant consideration by Council.”

71. The 3rd issue is, whether the CJC was correct in deciding that the judges can rightfully exercise their judicial discretion by their lack of any attempt to read the documents filed with the court.

72. The 4th issue is, whether the CJC was correct in deciding that the judges can rightfully exercise their judicial discretion by their persistent failure to provide a litigant with an opportunity for a fair hearing.

73. The 5th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* lacked diligence in performing general judicial duties.

74. The 6th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* had an absolute lack of diligence in reading the text of the judgment under appeal.

75. The 7th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* resorted to absolute lies about the text of the judgment under appeal in a way that embarrasses the justice system and undermines its integrity in the eyes of and reasonable and fair informed person.

76. The 8th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* resorted to bald-faced lies and fabrications in the absence of any discernible diligence in learning the basics of the case through reading the material filed with the court.

77. The 9th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* dishonestly pretended their fabricated statements made in the absence of any genuine fact-finding, to constitute the facts of the case.

78. The 10th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* exhibited its lack of diligence by evading a proper response to multiple requests from the appellant for clarification and specification of the issues supposedly before the division.

79. The 11th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* hoaxed the public through lies and deceptive conduct in a matter of high public interest.

80. The 12th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* engaged in overall conduct prone to obstructing justice through conspiracy among the judges to cover up for a terrorist regime's enablers and agents on Canadian soil
81. The 13th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to question the *Voith Division's* lack of integrity.
82. The 14th issue is, whether the CJC was correct in deciding that it was unsupported by any evidence and frivolous or vexatious to allege that the *Voith Division* conducted itself in a way that embarrasses the Canadian justice system and fails it as the ultimate protector of democracy.
83. The 15th issue is, whether the CJC even reviewed the Complaint.
84. The 16th issue is, whether the CJC breached the duty of fairness.
85. The 17th issue is, whether the CJC exhibited bias or a reasonable apprehension of bias.

PART III – SUBMISSIONS

Issue 1: Standard of review

86. The standard of review of the CJC decision in this matter is correctness.
87. The Complaint alleges various types of behaviour by the *Voith Division* each of which indicates the respondent judges' failure in the due execution of judicial office. The judges' alleged behaviour amounted to their egregiously, intentionally, repeatedly, and persistently lying out of nowhere at the level of falsifying public court records, thereby protecting through obstruction of justice the agents and powerful enablers of a terrorist regime in Canadian academia. Moreover, the establishment of these allegations put the respondent judges in a position that a reasonable, fair-minded and informed observer would consider to be incompatible with the due execution of judicial office⁴². However, without going into any fact findings and addressing the evidence, the

⁴² [Section 80](#) of the Judges Act, Part IV, Conduct Review Process

CJC decided that the alleged conduct did not warrant consideration and was not within the CJC's jurisdiction. As per Section 80 of the *Judges Act, Conduct Review Process*, this decision is a question of law and its applicable standard of review is correctness.

Issue 2: CJC's decision that the Complaint does not warrant consideration

88. The CJC's decision is incorrect. The alleged types of misconduct are matters that could justify the removal from office of the respondent judges and as such should have been considered by the CJC on the merit.

89. The CJC's 3-page response (the "Response") authored by its Acting Executive Director *Jacqueline Corado* ("Corado"), does not qualify as considering the Complaint. It did not address any piece of evidence or supporting document provided by the Complainant nor does it entail the consideration of any evidence contrary to the allegations. As such, the Response did not engage in any fact-finding whatsoever, including regarding the merits of the allegation. In these circumstances, Corado's unsubstantiated claim that 12 of the allegations "are unsupported by any evidence" is no indication of fact-finding by the CJC but an egregious sign of a predisposed decision to cover up for the misconduct of the *Voith Division* and the special interests linked to international terrorists.

Issues 3-4: Inconsistency of exercise of judicial discretion with lack of any attempt to read the court documents and persistently failing to provide a litigant with an opportunity for a fair hearing

90. The CJC is incorrect in its classification of the alleged lack of any attempt to read the documents filed with the court under the notion of exercise of judicial discretion. The alleged misconduct is against the core duties of the judges to a fair administration of justice, the dignity of the courtroom, and the integrity of the justice system as a whole, particularly given that the alleged misconduct even led to such prehistoric wrongs as falsifying public court records by the judges—as established by the Complaint and Part I herein (the Statement of Facts). Contrary to the CJC's irrelevant characterization of the issue, the alleged misconduct has nothing to do with the judges' "duty to assert firm control over the hearing ... to maintain an atmosphere of dignity and order in the courtroom."

91. The same argument applies to rebut the CJC's claim that the alleged persistent failure to provide a litigant with an opportunity for a fair hearing is an example of exercising judicial discretion. Furthermore, even though the Response evades any fact-finding, it is a plain matter of pure logic that the appellant's proper participation in the process would have hindered the *Voith Division's* subsequently taken path toward egregiously lying and embarrassingly falsifying the public court records; in other words, the alleged misconduct of failing to provide the applicant with an opportunity for a fair hearing was a prerequisite for the success of the *Voith Division's* attempt to author a public court record falsifying other public court records, thereby protecting terrorists' enablers through obstruction of justice.

Issues 5-14: CJC's claim that the allegations are "unsupported by any evidence and frivolous or vexatious"

92. The brief 3-page response from CJC lacks any consideration of any piece of evidence or supporting documents.

93. The CJC's "conclusion" that "all other points are unsupported by any evidence and frivolous or vexatious" is not only incorrect but shows how gravely arrogant and shamelessly negligent of basic duties of a public servant the author of the CJC's response was.

94. It is only appropriate if alongside setting aside the Response, the honourable Court recommends that *Jacqueline Corado* be put through a conduct review to assess her ethical and professional fitness for the position she occupies within the CJC.

Failure to address bias and lack of impartiality on the *Voith Division's* part

95. The CJC astonishingly refused to address the allegedly biased conduct of the *Voith Division*, arguing that it has already addressed the allegedly biased conduct of *Shelley Colleen Fitzpatrick*, notwithstanding *Fitzpatrick* is not in the *Voith Division* nor does she even sit on the same court as the three judges of the *Voith Division*!

96. Indeed, the absurdity of Ms. *Corado's* aforementioned claim may well signal her main focus in this matter, which was seemingly not the subject matter of the complaint but a common

motive among *Fitzpatrick*, *Voith Division*, and the CJC to protect the interests of terrorists' enablers.

97. The CJC's lack of consideration of the issue of bias amounts to ignoring "the fundamental qualification of a judge and the core attribute of the judiciary", as per the CJC's own *Ethical Principles for Judges* upheld by the Supreme Court of Canada.⁴³

98. In any case and as with all of the other allegations against the *Voith Division*, the CJC failed to consider the merits of the allegation of bias on the part of the *Voith Division*.

Lack of consideration of the Complaint and breach of duty of fairness

99. By failing to consider the Complaint and totally ignoring the supporting documents and evidence, the CJC breached its duty of fairness.

Bias and a reasonable apprehension of bias on the CJC's part

100. The CJC failed to approach the Complaint with an open mind. Indeed, likewise the *Voith Division*, which was closed to the evidence and public court records which would point the division away from their deliberate cover-up, the CJC had a closed eye to the supporting evidence in this matter and failed to see it, let alone consider it with an open mind. This closedness establishes actual bias on the CJC's part:

"The essence of impartiality lies in the requirement of the judge to approach the case to be adjudicated with an open mind. Conversely, bias or prejudice has been defined as

'a leaning, inclination, bent or predisposition towards one side or another or a particular result. In its application to legal proceedings, it represents a predisposition to decide an issue or cause in a certain way which does not leave the judicial mind perfectly open to conviction. Bias is a condition or state of mind which sways judgment and renders a judicial officer unable to exercise his or her functions impartially in a particular case.'

⁴⁴

⁴³ *Wewaykum Indian Band v. Canada*, 2003 SCC 45 ([CanLII](#)), para. 59

⁴⁴ *Wewaykum Indian Band v. Canada*, 2003 SCC 45 ([CanLII](#)), para. 58

PART IV – ORDER SOUGHT

101. The decision under review be set aside.

102. Complaint 23-0233 to the Canadian Judicial Council(“CJC”) be remitted to the CJC for a proper consideration of, and addressing, each of the matters raised in the complaint and supporting pieces of evidence provided to the CJC.

103. A recommendation that Ms. *Jacqueline Corado* of the CJC be subject to a conduct review to assess her ethical and professional fitness.

104. Any further orders that the Honourable Court considers just and fair.

All of which is respectfully submitted, this 12 of February 2024 at Vancouver, BC.

Masood Masjoody

PART V – LIST OF AUTHORITIES

LEGISLATION/REGULATIONS

1. Emergency Economic Measures Order, [SOR/2022-22](#)
2. Judges Act, Part IV, [Conduct Review Process](#)
3. [Values and Ethics Code for the Public Sector](#)

CASE LAW

4. *Canadian Constitution Foundation v. Canada* (Attorney General), 2024 FC 38 ([CanLII](#))
5. *Masjoody v. Burnaby Beacon*, 2022 BCSC 2485 ([CanLII](#))
6. *Masjoody v. Trotignon*, 2021 BCSC 1502 ([CanLII](#))
7. *Masjoody v. Trotignon*, 2023 BCCA 220 ([CanLII](#))
8. *Masjoody v. Trotignon*, 2023 BCSC 2224 ([CanLII](#))
9. *Tracy v The Iranian Ministry of Information and Security*, 2016 ONSC 3759 ([CanLII](#))
10. *Wewaykum Indian Band v. Canada*, 2003 SCC 45 ([CanLII](#))

SECONDARY SOURCES

11. “Akbar Manoussi: Where Special Interests of Terrorist Mullahs and Trudeau Liberals Find One Another”, **online article**, short link: <https://www.tinyurl.com/manoussi> , full address: <https://desislamiserlescours.com/2023/08/24/justin-trudeau-and-terrorist-mullahs-agent-akbar-manoussi/>
12. “An Indian In The Cabinet: Speaking Truth to Power”, **book**, by Jody Wilson-Raybould, Toronto, ON: HarperCollins Publishers Ltd., 2021.
13. “[Ethical Principles for Judges](#)”, **book**, by Canadian Judicial Council